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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/546,287

04/10/2000

Matthias Graf

017399/0188

2519

22428

7590

02/24/2004

FOLEY AND LARDNER  
SUITE 500  
3000 K STREET NW  
WASHINGTON, DC 20007

EXAMINER

HAWKINS, CHERYL N

ART UNIT

PAPER NUMBER

1734

DATE MAILED: 02/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

AS

<b>Advisory Action</b>	Application No. 09/546,287	Applicant(s) GRAF ET AL.	
	Examiner Cheryl N Hawkins	Art Unit 1734	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED            FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☒ The period for reply expires 6 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☒ A Notice of Appeal was filed on 02 January 2004. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☒ Applicant's reply has overcome the following rejection(s): See Continuation Sheet.
4. ☒ Newly proposed or amended claim(s) 1-3,12,21 and 22 would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because:                                 .
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:


Claim(s) allowed: 1-3,12,21 and 22.


Claim(s) objected to:                                 .

Claim(s) rejected: 7-11.

Claim(s) withdrawn from consideration:                                 .

8. ☐ The drawing correction filed on            is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s).           .
10. ☐ Other:

  
**RICHARD CRISPINO**  
 SUPERVISORY PATENT EXAMINER  
 TECHNOLOGY CENTER 1700

  
 Cheryl N. Hawkins  
 February 17, 2004

Continuation of 2. NOTE: The proposed amendment to Claim 7 would require an additional search because the Examiner has not previously considered a method for producing extra-wide joined veneers wherein the width in the direction across the grain of an oncoming first veneer is different than the width in the direction across the grain of an oncoming second veneer.

Continuation of 3. Applicant's reply has overcome the following rejection(s): the rejection of Claim 21 under 35 USC 102(b) as being anticipated by Schulte and the rejection of Claims 1-3, 12, and 21 under 35 USC 103(a) as being unpatentable over Schulte in view of Bielfeldt et al. The applicant's arguments pertaining to those claims are persuasive, therefore those claims are allowed.